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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CV 15 80010 MISC

In re:

ZCO LIQUIDATING CORPORATION
(f/k/a OCZ Technology Group, Inc.), et al.

Debtors.

Misc. Case No. ____-____

Bankruptcy Case No. 13-13126 (PJW) (Bankr.
D. Del.)

**NOTICE OF MOTION AND MOTION BY
CERTAIN FORMER DIRECTORS OF
OCZ TECHNOLOGY GROUP, INC. FOR
ORDER QUASHING SUBPOENAS
RELATING TO SETTLEMENT OF
DERIVATIVE ACTION AND/OR FOR
ENTRY OF A PROTECTIVE ORDER**

[Request for Judicial Notice Filed Herewith]

Hearing Date:

Date: February 24 2015

Time: 9:00 AM

Court: E 15th Pl

450 Golden Gate Avenue
San Francisco, CA

Judge:

Laporte

ORIGINAL
FILED

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RICHARD W. WICKS
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDL

PACHULSKI STANG ZIEHL & JONES LLP
ATTORNEYS AT LAW
LOS ANGELES, CALIFORNIA

TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, PETER KRAVITZ, LIQUIDATING TRUSTEE AND HIS COUNSEL:

PLEASE TAKE NOTICE THAT on February 24, 2015 at 9:00 AM, or as soon thereafter as the matter may be heard in Courtroom E on the 5th floor of the United States District Court for the Northern District of California located at 450 Golden Gate Avenue in San Francisco, California, moving parties Adam J. Epstein, Ralph Schmitt, Richard L. Hunter, and Russell J. Knittel (the "Former Directors") will and do move for entry of an order under Rule 45 of the Federal Rules of Civil Procedure quashing certain *Subpoenas for Rule 2004 Examination* (collectively, the "Subpoenas") issued in this district by the Liquidation Trustee of the ZCO Trust (the "Liquidation Trustee"), and/or for the entry of a protective order under Rule 26(c) that such discovery not be had.

Opposition and reply dates for the motion have been set by the agreement of the parties and require that (a) this motion would be filed on **January 15, 2015**, (b) that the Liquidation Trustee would have until **February 9, 2015** to oppose the motion, and that the Former Directors would have until **February 16, 2015** to reply.

The Former Directors' motion is based upon this Notice of Motion and Motion, the points and authorities filed herewith, the declaration of Dean A. Ziehl filed and served herewith, the Request for Judicial Notice, and such other evidence or argument as may be offered at the hearing.

WHEREFORE the Former Directors pray for an order:

1. Granting the Motion in its entirety;
2. Quashing the Subpoenas, and/or entering a protective order under Rule 26(c) that such discovery not be had;
3. For such other and further relief as the Court may deem just and proper.

Dated: January 15, 2015

PACHULSKI STANG ZIEHL & JONES LLP

By: /s/ John D. Fiero
John D. Fiero

Counsel for Adam J. Epstein, Ralph Schmitt,
Richard L. Hunter, and Russell J. Knittel